

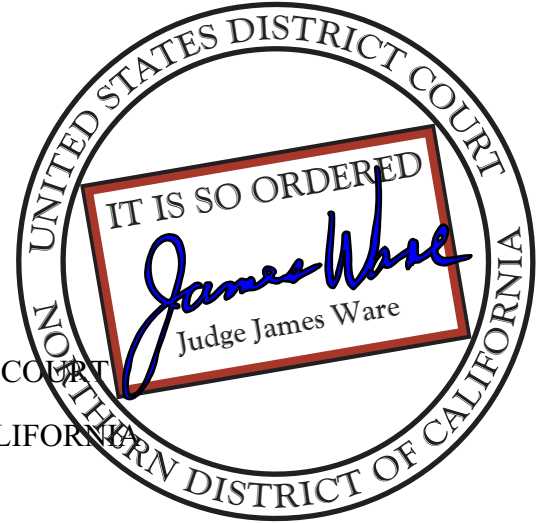
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA



NANCY ZAYED, an individual,

Plaintiff,

v.

APPLE COMPUTERS, a corporation doing
business in California; DAVID BLACK, an
individual, and DOES 1-50, inclusive,

Defendants.

Case No. C-04-1787

**STIPULATION AND ~~[PROPOSED]~~
ORDER TO CHANGE TIME
REGARDING EXPERT WITNESS
DISCLOSURE DEADLINES
PURSUANT TO LOCAL RULE 6-2**

1 The parties hereto, and their undersigned counsel, hereby stipulate as follows:

2 WHEREAS the Court previously entered a Scheduling Order in this case on
3 February 1, 2005 and modified that Scheduling Order on July 22, 2005 and on October 18, 2005;

4 WHEREAS discovery closed on October 3, 2005;

5 WHEREAS no trial date has yet been set by the Court;

6 WHEREAS the Parties agree that although discovery in this case has proceeded,
7 the parties have not yet conducted expert discovery pursuant to the Court's October 18, 2005
8 modification to its February 1, 2005 Scheduling Order;

9 WHEREAS Defendants filed summary judgment on November 14, 2005 and the
10 Court informed the parties it was taking the matter under submission without hearing oral
11 argument in January 2006;

12 WHEREAS the Parties believe that extending the expert witness deadlines set
13 forth in the Court's October 18, 2005 Order until after the Court rules on the parties' dispositive
14 motions will be conducive to the efficient and expedient conduct of this litigation and will serve
15 the ends of justice and may avoid unnecessary costs; and

16 WHEREAS the Parties have previously requested two time modifications to the
17 Scheduling Order deadlines set by the Court to extend the expert witness deadlines,

18 NOW THEREFORE, IT IS AGREED AS FOLLOWS:

19 1. The deadlines set forth in the Court's October 18, 2005, Scheduling Order
20 shall be modified as follows:

- 21 (a) the deadline to disclose expert witnesses pursuant to F.R.C.P. 26(a)
22 is 45 days from the date the Court enters its order on Defendants'
23 Summary Judgment Motion;
24 (b) the deadline to disclose rebuttal expert witnesses is 60 days from
25 the date the Court enters its order on Defendants' Summary
26 Judgment Motion;
27
28

- (c) the hearing deadline for motions objecting to the qualifications or proposed testimony of any expert is extended to 90 days from the expert witness disclosure deadline identified in paragraph 1(a) above;
- (d) The discovery deadline is extended to 45 days from the expert witness disclosure deadline identified in paragraph 1(a) above, as to expert discovery only, and discovery shall remain closed for all non-expert discovery.

2. This Stipulation shall be made an Order of the Court.

Dated: March 6, 2006

LYNNE C. HERMLE
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/s/

Jessica R. Perry
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Apple Computer, Inc. and David Black

Dated: March 6, 2006

WAUKEEN Q. MCCOY, ESQ.
LAW OFFICES OF WAUKEEN Q. MCCOY

/s/

Waukeen Q. McCoy
Attorneys for Plaintiff
Nancy Zayed

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March 9, 2006, 2006


Hon. James Ware
UNITED STATES DISTRICT JUDGE